

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Robert P. Smith,)
Plaintiff,) Civil Action No. 8:15-3395-TMC
vs.)
City of Anderson and)
James S. Stewart,)
Defendants.)

)

ORDER

Plaintiff filed this action against City of Anderson and James S. Stewart alleging employment discrimination based upon his race and breach of contract. (ECF No. 1). In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge's Report and Recommendation ("Report"), recommending that Defendant's motion for summary judgment (ECF No. 20) be granted. (ECF No. 45). No party has filed any objections to the Report and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

After a thorough review of the Report and the entire record in this case, the court adopts the magistrate judge's Report (ECF No. 45) and incorporates it herein. It is therefore **ORDERED** that Defendants' motion for summary judgment (ECF No. 20) is **GRANTED**.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

February 6, 2017
Anderson, South Carolina